



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

| COUNCIL MEMBERS | REDEVELOPMENT AGENCY |
|-------------------------------|-----------------------------|
| Steve Tate, Mayor | Steve Tate, Chair |
| Larry Carr, Mayor Pro Tempore | Larry Carr, Vice-Chair |
| Mark Grzan, Council Member | Mark Grzan, Agency Member |
| Marby Lee, Council Member | Marby Lee, Agency Member |
| Greg Sellers, Council Member | Greg Sellers, Agency Member |

WEDNESDAY, MAY 2, 2007

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY REGULAR MEETING

7:00 P.M.

CALL TO ORDER

(Mayor/Chairperson Tate)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS

California Highway Patrol (CHP) 10851 Award for Recovery of Stolen Vehicles – Kyle Christensen
CHP Chief Robert Clements

PROCLAMATIONS

Bike to Work Week
Jim Ashcraft

Cycling and Trail Awareness Award
Jim Ashcraft

National Hospital Week
Ted Fox

PRESENTATIONS

South Valley Disposal & Recycling Recyclers of the Year
Julie Osborne

Environmental Poster Contest Winners
Tony Eulo

Chamber of Commerce Sustainable Quality and Excellence Awards
Dan Ehrler

Sustainable Quality Award
Specialized Bicycles

Stewardship of the Natural Environment and Social Responsibility
Comcast – Morgan Hill Call Center

Stewardship of the Natural Environment and Social Responsibility
St. Catherine Parish and School

Stewardship to the Natural Environment
People and Planet

Stewardship to the Natural Environment
South County Housing

CITY COUNCIL REPORTS

Council Member Carr

CITY COUNCIL COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council and Redevelopment Agency Action

ADOPTION OF AGENDA

City Council Action

CONSENT CALENDAR:

ITEMS 1-12

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

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Consent Calendar: 1 - 10 Minutes

1. **JANITORIAL SERVICES AGREEMENT AMENDMENT**
Recommended Action(s):
 1. **Approve** an Amendment to the Centennial Recreation Center Janitorial Services Maintenance Agreement Extending Services to the Aquatics Center from May 15, 2006, until September 30, 2008, with Sunnyvale Building Maintenance in the Amount of \$36,975; and
 2. **Authorize** the City Manager to Execute the Agreement on Behalf of the City; Subject to Review and Approval by the City Attorney.
2. **ADOPT ORDINANCE NO. 1825, NEW SERIES**
Recommended Action(s): **Waive** the Reading, and **Adopt** Ordinance No. 1825, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-04-06: COCHRANE-BORELLO TO ALLOW FOR A FOUR MONTH EXTENSION TO COMMENCE CONSTRUCTION UNDER THE FISCAL YEAR 2006-2007 BUILDING ALLOTMENT. (MP-03-04: COCHRANE-BORELLO)**

Time Estimate

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Consent Calendar: 1 - 10 Minutes

3. **ADOPT ORDINANCE NO. 1826, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1826, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-05-01: COCHRANE-MISSION RANCH TO ALLOW A FOUR MONTH EXTENSION TO COMMENCE CONSTRUCTION OF THE FISCAL YEAR 2006-2007 AND INCORPORATION OF ALLOCATIONS FOR FISCAL YEAR 2009-2010. (MC-04-26: COCHRANE-MISSION RANCH)**
4. **ADOPT ORDINANCE NO. 1827, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1827, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-05-02: COCHRANE-LUPINE TO ALLOW A SIX MONTH EXTENSION TO COMMENCE CONSTRUCTION FOR THE FISCAL YEAR 2006-2007 BUILDING ALLOTMENT. (MC-04-25: COCHRANE-LUPINE)**
5. **ADOPT ORDINANCE NO. 1828, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1828, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-05-04: EAST MAIN-MARRAD TO ALLOW FOR A FOUR MONTH EXTENSION TO COMMENCE CONSTRUCTION FOR THE FISCAL YEAR 2006-2007 ALLOTMENT AND TWO MONTH EXTENSIONS FOR THE FISCAL YEAR 2007-2008 AND FISCAL YEAR 2008-2009 ALLOTMENTS. (MC-04-19: EAST MAIN – MARRAD/SAN SAVIGNO)**
6. **ADOPT ORDINANCE NO. 1829, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1829, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-04-08: TILTON-GLENROCK AMENDING EXHIBIT B TO INCLUDE ONLY COMMENCEMENT OF CONSTRUCTION DATES. (MP-02-03: TILTON-GLENROCK)**
7. **ADOPT ORDINANCE NO. 1830, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1830, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-03-09: NATIVE DANCER – QUAIL MEADOWS TO ALLOW FOR A ONE-YEAR EXTENSION TO COMMENCE CONSTRUCTION OF THE FISCAL YEAR 2005-2006 BUILDING ALLOTMENT. (MMP-03-01: NATIVE DANCER-QUAIL MEADOWS)**

Time Estimate
Consent Calendar: 1 - 10 Minutes

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8. **ADOPT ORDINANCE NO. 1831, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1831, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-05-13: JARVIS – SOUTH VALLEY DEVELOPERS TO ALLOW SIX-MONTH EXTENSIONS TO COMMENCE CONSTRUCTION OF FISCAL YEAR 2006-2007 AND FISCAL YEAR 2007-2008 BUILDING ALLOTMENTS. (MC-04-22: JARVIS-SOUTH VALLEY DEVELOPERS/MADRONE PLAZA)**
9. **ADOPT ORDINANCE NO. 1832, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1832, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-06-03: JARVIS – SOUTH COUNTY HOUSING TO ALLOW SIX-MONTH EXTENSIONS TO COMMENCE CONSTRUCTION UNDER THE FISCAL YEAR 2007-2008 AND FISCAL YEAR 2008-2009 BUILDING ALLOTMENTS. (MC-05-02: JARVIS-SOUTH COUNTY HOUSING/MADRONE PLAZA)**
10. **ADOPT ORDINANCE NO. 1833, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1833, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-05-06: GINGER – CUSTOM ONE TO ALLOW FOR AN EIGHT-MONTH EXTENSION TO COMMENCE CONSTRUCTION OF THE FISCAL YEAR 2006-2007 BUILDING ALLOTMENT. (MMC-04-07: GINGER-CUSTOM ONE)**
11. **ADOPT ORDINANCE NO. 1834, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1834, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-05-12: SAN PEDRO-AHMADI TO ALLOW A TWO-MONTH EXTENSION TO COMMENCE CONSTRUCTION OF THE FISCAL YEAR 2006-2007 BUILDING ALLOTMENT. (MMC-04-06: SAN PEDRO-AHMADI)**
12. **ADOPT ORDINANCE NO. 1835, NEW SERIES**
Recommended Action(s): Waive the Reading, and **Adopt** Ordinance No. 1835, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT UNDER APPLICATION, DAA-05-09: DEL MONTE - GIOVANNI TO ALLOW A SIX-MONTH EXTENSION TO COMMENCE CONSTRUCTION UNDER THE FISCAL YEAR 2006-2007 BUILDING ALLOTMENT. (MMC-04-05: DEL MONTE-GIOVANNI)**

Redevelopment Agency Action

CONSENT CALENDAR:

ITEMS 13-14

Time Estimate

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Consent Calendar: 1 - 10 Minutes

13. **APPROVAL OF \$49,314.72 FOR INTERIOR FURNITURE FOR THE NEW MORGAN HILL LIBRARY**
Recommended Action(s): Authorize the Purchase of Additional Office Furniture from Peninsula Business Interiors (PBI). PBI Shall Provide and Install the Office Furniture for the New Morgan Hill Library in an Amount Not-to Exceed \$49,314.72. This Cost is Based on U.S. Communities Government Purchasing Alliance (U.S. Communities).
14. **OVERFLOW PARKING LEASE FOR CALIFORNIA YOUTH SOCCER ASSOCIATION (CYSA) EVENTS DURING OUTDOOR SPORTS CENTER CONSTRUCTION**
Recommended Action(s): Authorize the Executive Director to Negotiate and Execute a Temporary Land Use Agreement with Evergreen Investment Group II for Event Overflow Parking Needs During the Construction Phase of the Outdoor Sports Center; Subject to Review and Approval by the Agency Counsel.

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 15

Time Estimate

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Consent Calendar: 1 - 10 Minutes

15. **APPROVE JOINT REGULAR CITY COUNCIL AND REGULAR REDEVELOPMENT AGENCY MEETING MINUTES OF APRIL 18, 2007**

City Council Action

OTHER BUSINESS:

Time Estimate

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16. **10 Minutes** **VALLEY TRANSPORTATION AUTHORITY (VTA) BUS PROGRAM UPDATE**10.
Recommended Action(s): Receive Presentation and Comment on the Revised Community Bus Program Routes by VTA.
17. **10 Minutes** **COMMUNITY SPECIAL EVENT FUNDING REQUESTS FOR FISCAL YEAR 2007-2008 BUDGET CONSIDERATION**12
Recommended Action(s):
1. Review Requests Submitted by Community Organizations; and
2. Provide Funding Direction to Staff for Consideration in the Fiscal Year 2007-2008 Budget Process for Community-Wide Special Events.

OTHER BUSINESS:

Time Estimate

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| 18. | 30 Minutes | <u>PUBLIC SAFETY & COMMUNITY SERVICES (PS&CS) EVALUATION OF POLICE DEPARTMENT SERVICE LEVELS</u> <u>Recommended Action(s):</u> <u>Adopt</u> Recommendations by the Council's Public Safety & Community Services Committee for Service Level Enhancements to the Morgan Hill Police Department. |
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City Council and Redevelopment Agency Action

OTHER BUSINESS:

Time Estimate

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| 19. | 5 Minutes | <u>STRATEGY FOR EXPENDITURE OF REDEVELOPMENT TAX INCREMENT FUNDS</u> <u>Recommended Action(s):</u> The Council <u>Review</u> and <u>Revise</u> , as Appropriate, the "Strategy for Expenditure of Redevelopment Tax Increment Funds." |
| 20. | 20 Minutes | <u>COUNCIL'S ECONOMIC DEVELOPMENT GOAL</u> <u>Recommended Action(s):</u> <u>Adopt</u> the Revised Recommendations of the Council's Community and Economic Development Committee (C&ED) Regarding the City's Economic Development Strategy and <u>Direct</u> the C&ED to Evaluate the Morgan Hill Chamber of Commerce's Economic Development Marketing/Recruitment Proposal and any Other Options Using the Adopted Recommendations. |

FUTURE COUNCIL AGENCY-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

City Council Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

| | |
|--------------|--|
| Authority: | Government Code section 54956.9(a) |
| Case Name: | Arcadia Development Company v. City of Morgan Hill |
| Case Number: | County of Santa Clara No. 1-04-CV-020598. |
| Attendees: | City Manager; City Attorney; Special Counsel |

2.

CONFERENCE WITH LABOR NEGOTIATOR:

| | |
|-------------------------|--|
| Authority: | Government Code Section 54957.6 |
| Agency Negotiators: | City Manager; Human Resources Director |
| Employee Organizations: | Employees Covered under Management Resolution No. 6061 |

Redevelopment Agency Action

CLOSED SESSION:

1.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

| | |
|---|--|
| Authority: | Government Code 54956.8 |
| Property: | 17440 Monterey Road, APN: 726-14-028 |
| Negotiating Parties: | |
| For City: | City Manager, Director of Business Assistance & Housing Services, City Attorney |
| For Property Owners: | Sherman House Associates |
| Closed Session Topic/Under Negotiation: | Price and Terms of Payment |

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

ADJOURNMENT

PUBLIC COMMENTS ON ITEMS *NOT* APPEARING ON AGENDA

Following the opening of Council/Agency business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's/Agency's jurisdiction. Should your comments require Council/Agency action, your request will be placed on the next appropriate agenda. No Council/Agency discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk/Agency Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA

The Morgan Hill City Council/Redevelopment Agency welcomes comments from all individuals on any agenda item being considered by the City Council/Redevelopment Agency. Please complete a Speaker Card and present it to the City Clerk/Agency Secretary. This will assist the Council/Agency Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council/Agency. However, it is very helpful to the Council/Agency if speaker cards are submitted. As your name is called by the Mayor/Chairman, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council/Agency Commission are limited to three minutes. We appreciate your cooperation.

NOTICE

AMERICANS WITH DISABILITIES ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the City Council/Agency Commission agenda, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

NOTICE

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council/Agency Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action by the City Council/Agency Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.



CITY COUNCIL STAFF REPORT

MEETING DATE: May 2, 2007

Agenda Item # **16**

Prepared By:

Julia Coker
Special Assistant to the
City Manager

Submitted By:

[Signature]
City Manager

VTA COMMUNITY BUS PROGRAM UPDATE

RECOMMENDED ACTION(S):

Receive presentation and comment on the Revised Community Bus Program Routes by VTA.

EXECUTIVE SUMMARY:

Santa Clara Valley Transportation Authority (VTA) provided a presentation to Council on January 17, 2007 on the proposed Morgan Hill Community Bus Program which is to debut in July 2007. The program will implement new, smaller buses and new services in order to better serve communities. Following the presentation, a local stakeholders group was assembled and provided comments to VTA staff on the proposed bus routes.

The outcome of the stakeholder and city staff meetings with VTA resulted in some alterations to the routes initially proposed by VTA. A change to the bus stops along the Civic Center site will address the needs of patrons to the new library. A change in bus route to the Centennial Recreation Center will result in better service to the senior citizen population who attend the programs there.

VTA Service Planning Manager Bill Capps will provide an update to Council on the service changes and schedule.

FISCAL/RESOURCE IMPACT: Bus stop improvements made at the Civic Center Site will be funded by the Library Project CIP contingency.

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CITY COUNCIL STAFF REPORT

MEETING DATE: *May 2, 2007*

COMMUNITY SPECIAL EVENT FUNDING REQUESTS FOR FY 07-08 BUDGET CONSIDERATION

RECOMMENDED ACTION(S):

1. Review requests submitted by Community Organizations
2. Provide funding direction to staff for consideration in the FY 07-08 budget process for Community-wide Special Events.

EXECUTIVE SUMMARY: On December 14, 2005, Council approved a formal process for Community Special Event funding and co-sponsorship requests so they may be considered during the annual budget process within the Community Promotions Fund. For FY06-07, Council budgeted for these expenses from the Community Promotions Fund after the events were left unfunded based on the "Sustainable Budget" strategy. Council directed staff to establish a more formal procedure to review the requests on an annual basis and make budgetary decisions based on the level of Council support. Event organizers whom traditionally hold community-wide events in Morgan Hill, require city services support, and have requested city funding assistance were provided with forms and the deadline of March 31, 2007 in order to be considered during the budget process for FY07-08.

Staff received five requests for FY 07-08 totaling \$37,940.00. FY 06-07 impact is \$40,244.47 which includes United Way 211 program funding and Sister City event funding. Over the past several years, IDI has been funded at the \$25,000 level, but this year's request is for \$28,000 to cover the increase in city service costs.

Attached is a table outlining the event organizers' funding requests and how they meet the criteria established by Council. Staff has been working on defining the costs associated with supporting these events which resulted in some fees higher than presented in past billings. During the budget process staff will be requesting \$8,000 in funding for a special events trailer which will contain equipment that can be used for the required event street closures and should result in equipment cost savings for organizers.

FISCAL IMPACT: \$38,000 of the Community Promotions Budget may be used for Community Special Events support.

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| Agenda Item # | 17 |
| Prepared By: | <i>Julia E. Olson</i> Special Assistant to the City Manager |
| Submitted By: | <i>[Signature]</i> City Manager |

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The following applications were received:

| | | | |
|---|--|--------------------|-------------------|
| SAFE TRICK OR TREAT | Request: City Services sponsored | Request | 2006 |
| | Public Works Assistance | \$2500.00 | \$2,357.40 |
| | Police Patrol | \$ 400.00 | \$ 366.35 |
| | Equipment Rental for street closures | \$ 620.00 | |
| | Signage | \$ 430.00 | |
| October 31, 2007 | Special Event Permit Fee | \$ 547.00 | \$ 547.00 |
| | School Flyers | \$ 600.00 | |
| | Additional Insured <u>certificates</u> | \$ 500.00 | |
| Morgan Hill Downtown Association: Theresa Kiernan | Total: | \$5600.00 | \$5600 |
| | Notes: Meets Council's Criteria. | | |
| | | | |
| HOLIDAY LIGHTS PARADE & TREE LIGHTING CEREMONY | Request: City Services sponsored | Request | 2006 |
| | Police Patrol | \$ 1,200.00 | \$ 1,182.94 |
| | Public Works Assistance for street blocking & verify speakers are in working order | \$ 1,200.00 | \$ 1,180.00 |
| | 250 No parking signs | | |
| | Flat bed truck for announcer | | |
| | Large directional traffic boards (2) | | |
| December 1, 2007 | Permit Fee | \$ 547.00 | \$ 547.00 |
| | Total: | \$2,950.00 | \$2,909.00 |
| Morgan Hill Kiwanis: Barbara Kimmich | Notes: Meets Council's Criteria. Tree Lighting to take place at Community Center Front Lawn. | | |
| | | | |
| FOURTH OF JULY | Request: City Services sponsored | Request | 2006 |
| | Public Works Assistance | \$ 5,000.00 | \$ 4,345.70 |
| | Police Patrol | \$12,000.00 | \$11,903.93 |
| | Permit fees | \$ 547.00 | \$ 750.00 |
| | Seed funds//Insurance premium | \$11,000.00 | \$11,188.00 |
| July 3 & 4, 2007 | Total: | \$28,500.00 | \$25,000 |
| IDI: Alex Kennett | Notes: Meets Council's Criteria. Parking challenges remain for the fireworks at Community Park which may result in increased fees. | | |
| | | | |
| FIRST EVER SILICON VALLEY COMMUNITY BAND FESTIVAL | <u>Request:</u> City Permit Fee sponsored | Request | 2006 |
| | Special Event Permit | \$ 547.00 | NA |
| | Total: | \$ 547.00 | |
| June 2008 | Notes: Criteria #1. No event history. #2. First time. #5. No support services; just permit fee. #7. To be determined. | | |
| New request San Jose Metropolitan Band: Ed Souza | New event for 2008, planned for June at the Community & Cultural Center One-day community band festival with participants from the nine bay area counties | | |

| | | | |
|------------------------------------|--|--------------|------|
| MORGAN HILL DOG OWNERS GROUP | 2nd ANNUAL WAG ABOUT | | |
| August 4, 2007 | | Request | 2006 |
| | <u>Request:</u> City Services Sponsored | \$150 | NA |
| | Special Event Permit Fee | \$193 | NA |
| | Total: | \$343 | |
| New request | MHDOG is requesting use of Community Park for a dog walk/jog fundraising event on behalf of the Dog Park. | | |
| | Notes: Criteria #1: Only 2 nd annual. #3: Open to the public but target audience is dog owners #7: To be determined. | | |

Funding Requests are for Community Events Meeting the Following Criteria:

1. The event or its sponsors have a history in our local community
2. The event is held annually
3. Target audience is community-wide
4. There is a community benefit outcome: scholarships, promotion, sense of place, pride. In defining "community benefit," sponsors will be asked to identify benefits other than "economic benefits" attributable to spending by event attendees.
5. Requires City support services.
6. Applicants must be non profits organized under the IRS Code section 501.C3 or other appropriate designation indicating exempt status.
7. City staff is included in the final planning process.
8. This funding process is not for requests to defer, or further discount, public facility rentals.
9. Proposed events requiring downtown closures will require acceptance of the
 - A. "Guidelines for Holding Your Special Event in Downtown Morgan Hill"
 - B. "ADA Guidelines for Special Events on Public Property in Morgan Hill".
10. Complete funding application request process as defined once per year (submit this form annually).
11. There are no outstanding unpaid City bills from previous year's event.

- benefits other than "economic benefits" attributable to spending by event attendees.
5. Requires City support services.
 6. Applicants must be non profits organized under the IRS Code section 501.C3 or other appropriate designation indicating exempt status.
 7. City staff is included in the final planning process.
 8. This funding process is not for requests to defer, or further discount, public facility rentals.
 9. Proposed events requiring downtown closures will require acceptance of the
 - A. "Guidelines for Holding Your Special Event in Downtown Morgan Hill" *and the pending*
 - B. "ADA Guidelines for Special Events on Public Property in Morgan Hill". Both are attached.
 10. Complete funding application request process as defined once per year (submit this form annually).
 11. There are no outstanding unpaid City bills from previous year's event.

If your special event meets the requirements listed then please proceed with completing and submitting the following application.

SPECIAL EVENT FUNDING REQUEST INFORMATION

NAME OF EVENT: Safe Trick or Treat _____

DATE OF EVENT: October 31, 2007 _____

NAME OF ORGANIZATION: MH Downtown Association _____

NAME OF CONTACT PERSON: Theresa Kiernan _____

ADDRESS: 17500 Depot Street, Ste 170 _____

PHONE NUMBER(s): 779-3190 _____

EMAIL: theresak@morganhilldowntown.org _____

TIMES OF THE EVENT: 5pm to 7pm, October 31st _____

SET-UP DAY AND TIME: 4:00pm October 31st _____

DISMANTLE DAY AND TIME: 8:00pm October 31st _____

GENERAL LOCATION OF THE EVENT: _Monterey Street from approx 4th to 1st with closure from of Monterey Street from Dunne to Main _____

GENERAL DESCRIPTION OF THE EVENT: Safe trick or treat is for our children in the community of Morgan Hill only. Only MH businesses participate both of the downtown core and in the greater City of Morgan Hill. _____

ESTIMATED NUMBER OF PARTICIPANTS?

Persons: 3500-4000 _____

Animals: some dogs _____

Vehicles: none _____

ESTIMATED NUMBER OF SPECTATORS: -0- ____

Please complete the following to determine eligibility:

| | |
|--|--|
| 1. The event or sponsors have history in our local community | Please Describe: This event has been in the community now for 10 years. This year will be its 11 th . |
| 2. Target audience is community-wide | Please describe: Yes, as described above. Young children up to 12 years of age only from Morgan Hill and the businesses of Morgan Hill. |
| 3. There is a community benefit | Please describe: This event provides an opportunity for children to participate in the trick or treat activity with police protection and no cars. |
| 4. Event requires city support services | Please list all costs that you are requesting the city consider for funding. This may include in-kind services (Police Security, Public Works staff costs, equipment use) and direct costs (rental fees, permit fees) Use separate sheet if necessary. Attachment |

| | |
|---|--|
| 5. Demonstrated need for funding assistance | Please provide financial statements and proposed event budget. Use separate sheet Attachment |
| 6. Non-profit organization with tax exemption status | Please provide copy of tax identification |
| 7. City staff included in final planning process | Application for Special Event Permit will be required. Initial: |
| 8. Request is not for city facility sponsorship | Briefly describe city properties requested, if any: |
| 9. If event requires closing downtown streets, then downtown guidelines must be met | Does this apply? <u> X </u> yes <u> </u> no If yes, please initial that you agree to abide by the "Guidelines for Having Your Special Event in Downtown Morgan Hill" TK |
| 10. Complete funding request process | Funding request application turned in by March 31? |
| 11. No outstanding city bills from previous event | Confirm all invoices are current. |

The Applicant agrees to comply with the permit issuance conditions as stipulated in Section 12.16050 of the City of Morgan Hill Municipal Code, and any other requirements of the City of Morgan Hill. Applicants who are requesting city funding assistance for their special event may also be asked to provide financial reports following the event.

Please send your request application to: Julie Spier, Special Assistant to the City Manager, 17555 Peak Ave., Morgan Hill, CA 95037. For questions or clarifications please contact Julie Spier at 408-779-7271 or by email: Julie.Spier@morganhill.ca.gov

Attachment 1

Funding Request for Special events held on City Property

Item #4 Costs requesting the City to consider Funding

| | |
|--------------------------|---------|
| Grant approved 2006 | \$5600. |
| Request for funding 2007 | \$5600. |

Items the City grant would cover:

| | |
|-----------------------------------|---------------|
| Permit fee | \$ 550 |
| Police presence | 400 |
| Add'l insured certificates | 500 |
| Equipment – arrow signs, etc | 620 |
| Signage | 430 |
| Public works personnel & vehicles | 2500 |
| Flyers for the schools | <u>600</u> |
| Total | <u>\$5600</u> |

Attachment 2

Funding Request for Special Events held on City Property

Item #5 Proposed Event Budget

| | |
|-----------------------------------|--------|
| Permit fee | \$ 550 |
| Police presence | 400 |
| Add'l insured certificates | 500 |
| Equipment – arrow signs, etc | 620 |
| Signage | 430 |
| Public works personnel & vehicles | 2500 |
| Flyers for the schools | 600 |

Plus:

| | |
|---------------------|--------------|
| Street decorations | \$ 200 |
| Inflatable rides | 2200 |
| Trick or treat bags | <u>1600*</u> |

| | |
|-------|-----------------|
| Total | <u>\$10600.</u> |
|-------|-----------------|

* Whether or not we make trick or treat bags for the children to carry will be affected by the possibility of the introduction of Downtown Morgan Hill shopping bags. The MHDA may find it difficult to sell sponsorships for the trick or treat bags if the merchants have participated in any expense for the shopping bags.

3/29/07
Holiday Lights

- benefits other than "economic benefits" attributable to spending by event attendees.
5. Requires City support services.
 6. Applicants must be non profits organized under the IRS Code section 501.C3 or other appropriate designation indicating exempt status.
 7. City staff is included in the final planning process.
 8. This funding process is not for requests to defer, or further discount, public facility rentals.
 9. Proposed events requiring downtown closures will require acceptance of the
 - A. "Guidelines for Holding Your Special Event in Downtown Morgan Hill" and the pending
 - B. "ADA Guidelines for Special Events on Public Property in Morgan Hill". Both are attached.
 10. Complete funding application request process as defined once per year (submit this form annually).
 11. There are no outstanding unpaid City bills from previous year's event.

If your special event meets the requirements listed then please proceed with completing and submitting the following application.

SPECIAL EVENT FUNDING REQUEST INFORMATION

NAME OF EVENT: HOLIDAY LIGHTS PARADE & TREE LIGHTING CEREMONY

DATE OF EVENT: DECEMBER 1, 2007

NAME OF ORGANIZATION: KIWANIS

NAME OF CONTACT PERSON: BARBARA KIMMICH

ADDRESS: 17090 PINELAW MH

PHONE NUMBER(s): H: 408-782-6230 / B: 408-947-2509 / C: 408-612-2901

EMAIL: BARBARAKIMMICH@DOCHS.ORG

TIMES OF THE EVENT: 5P - 8P

SET-UP DAY AND TIME: DEC 1ST, 3P

DISMANTLE DAY AND TIME: DEC 1ST, 8P

GENERAL LOCATION OF THE EVENT: DOWNTOWN MH - BOTH SIDES OF MONTEREY ROAD FROM MAIN TO DUNNE AND DEPOT FROM MAIN TO DUNNE AND ALL SIDE STREETS ON EAST SIDE OF MONTEREY. (BETWEEN MONTEREY AND DEPOT)

GENERAL DESCRIPTION OF THE EVENT: HOLIDAY PARADE
AND MAYOR'S TREE LIGHTING CEREMONY.

ESTIMATED NUMBER OF PARTICIPANTS?

Persons: PARADE ENTRIES - 35

Animals: 2

Vehicles: PARADE ENTRIES - 30

ESTIMATED NUMBER OF SPECTATORS: 3000

Please complete the following to determine eligibility:

| | |
|--|--|
| 1. The event or sponsors have history in our local community | Please Describe: <u>16TH YEAR KIWANIS DOING PARADE.</u> |
| 2. Target audience is community-wide | Please describe: <u>HOLIDAY PARADE BRINGS FAMILY AND NEIGHBORS TOGETHER TO CELEBRATE HOLIDAYS TOGETHER!</u> |
| 3. There is a community benefit | Please describe: <u>COMMUNITY SUPPORTED</u> |
| 4. Event requires city support services | Please list all costs that you are requesting the city consider for funding. This may include in-kind services (Police Security, Public Works staff costs, equipment use) and direct costs (rental fees, permit fees). Use separate sheet if necessary. <u>FROM 2006 ACTUAL COSTS:</u> <u>PW: 828.62</u> <u>PW EQUIP: 350.28</u> <u>PD 1182.94</u> <u>EVENT PROCESSING: 547. -</u> <u>2006 TOTAL: \$2,908.84</u> |

| | |
|---|--|
| 5. Demonstrated need for funding assistance | Please provide financial statements and proposed event budget. Use separate sheet. <i>LOCAL SERVICE GROUP PROVIDING SERVICE FOR CITY OF MH.</i> |
| 6. Non-profit organization with tax exemption status | Please provide copy of tax identification <i>KUWANIS IS NON-PROFIT</i> |
| 7. City staff included in final planning process | Application for Special Event Permit will be required. <i>YES</i> Initial: |
| 8. Request is not for city facility sponsorship | Briefly describe city properties requested, if any: <i>COMMUNITY CENTER FRONT LAWN FOR TREE LIGHTING CEREMONY. STAGE AND SOUND SYSTEM AT CCC.</i> |
| 9. If event requires closing downtown streets, then downtown guidelines must be met | Does this apply? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no If yes, please initial that you agree to abide by the "Guidelines for Having Your Special Event in Downtown Morgan Hill" <i>[Signature]</i> |
| 10. Complete funding request process | Funding request application turned in by March 31? <i>YES</i> |
| 11. No outstanding city bills from previous event | Confirm all invoices are current. <i>OK</i> |

The Applicant agrees to comply with the permit issuance conditions as stipulated in Section 12.16050 of the City of Morgan Hill Municipal Code, and any other requirements of the City of Morgan Hill. Applicants who are requesting city funding assistance for their special event may also be asked to provide financial reports following the event.

Please send your request application to: Julie Spier, Special Assistant to the City Manager, 17555 Peak Ave., Morgan Hill, CA 95037. For questions or clarifications please contact Julie Spier at 408-779-7271 or by email: Julie.Spier@morganhill.ca.gov.

3/29/07
IDI

- benefits other than "economic benefits" attributable to spending by event attendees.
5. Requires City support services.
 6. Applicants must be non profits organized under the IRS Code section 501.C3 or other appropriate designation indicating exempt status.
 7. City staff is included in the final planning process.
 8. This funding process is not for requests to defer, or further discount, public facility rentals.
 9. Proposed events requiring downtown closures will require acceptance of the
 - A. "Guidelines for Holding Your Special Event in Downtown Morgan Hill" *and the pending*
 - B. "ADA Guidelines for Special Events on Public Property in Morgan Hill". Both are attached.
 10. Complete funding application request process as defined once per year (submit this form annually).
 11. There are no outstanding unpaid City bills from previous year's event.

If your special event meets the requirements listed then please proceed with completing and submitting the following application.

SPECIAL EVENT FUNDING REQUEST INFORMATION

NAME OF EVENT: ____IDI 4th of July Events____

DATE OF EVENT: ____July 3rd and 4th____

NAME OF ORGANIZATION: __IDI (Independence Day Incorporated)____

NAME OF CONTACT PERSON: ____Alex Kennett____

ADDRESS: ____15231 Perry Lane, Morgan Hill, CA 95037____

PHONE NUMBER(s): ____779-0235____

EMAIL.: __alex@garlic.com____

TIMES OF THE EVENT: __Various, begins downtown at 1:00 p.m. on July 3____

SET-UP DAY AND TIME: __Various, begins downtown at 1:00 p.m. on July 3__

DISMANTLE DAY AND TIME: __Various, downtown finished by 11:30 p.m. July 3_

GENERAL LOCATION OF THE EVENT: Various including downtown Morgan Hill and surrounding areas, and Community Park

GENERAL DESCRIPTION OF THE EVENT: IDI (Independence Day Incorporated), in conjunction with the City of Morgan Hill, presents nine distinctive events in celebration of our nation's independence.

ESTIMATED NUMBER OF PARTICIPANTS?

Persons: Varying – from 2,900 for the parade to 100 for the fireworks show

Animals: Only applicable to the parade – approximately 90

Vehicles: Depending on the event, from 30 to approximately 320 for the parade

ESTIMATED NUMBER OF SPECTATORS: _Again, varying depending upon the event. 42,000 for the parade, down to approximately 5,000 for the 5K race_

Please complete the following to determine eligibility:

| | |
|--|--|
| 1. The event or sponsors have history in our local community | Please Describe: IDI has been in existence for over 30 years, providing the residents of Morgan Hill with a variety of patriotic events including a 4 th of July parade. The parade has been a tradition for over 100 years. |
| 2. Target audience is community-wide | Please describe: IDI provides events that appeal to all residents of Morgan Hill, from a Patriotic Sing for the children to a classic car show for the older residents and a parade which appeals to everyone! |
| 3. There is a community benefit | Please describe: The 4 th of July events are recognized as a Morgan Hill tradition, helping to build a small-town, wholesome reputation. |
| 4. Event requires city support services | Please list all costs that you are requesting the city consider for funding. This may include in-kind services (Police Security, Public Works staff costs, equipment use) and direct costs (rental fees, permit fees). Use separate sheet if necessary. \$12,000 for Police Services \$5,000 for Public Works \$547 for Permits \$11,000 as 'seed money' |

| | |
|---|--|
| 5. Demonstrated need for funding assistance | Please provide financial statements and proposed event budget. Income: entry fees, corporate donations, donations from private citizens, in-kind donations from businesses \$95,000 Expenses: overall expenses \$127,500 In-kind services and seed money requested from the City of Morgan Hill: \$28,500 |
| 6. Non-profit organization with tax exemption status | Please provide copy of tax identification Tax ID Number 77-0158050 |
| 7. City staff included in final planning process | Application for Special Event Permit will be required. Yes, for several events. Initial: |
| 8. Request is not for city facility sponsorship | Briefly describe city properties requested, if any: Downtown Morgan Hill and surrounding area, Community Park. |
| 9. If event requires closing downtown streets, then downtown guidelines must be met | Does this apply? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no If yes, please initial that you agree to abide by the "Guidelines for Having Your Special Event in Downtown Morgan Hill" |
| 10. Complete funding request process | Funding request application turned in by March 31? Yes |
| 11. No outstanding city bills from previous event | Confirm all invoices are current. Yes |

The Applicant agrees to comply with the permit issuance conditions as stipulated in Section 12.16050 of the City of Morgan Hill Municipal Code, and any other requirements of the City of Morgan Hill. Applicants who are requesting city funding assistance for their special event may also be asked to provide financial reports following the event.

Please send your request application to: Julie Spier, Special Assistant to the City Manager, 17555 Peak Ave., Morgan Hill, CA 95037. For questions or clarifications please contact Julie Spier at 408-779-7271 or by email: Julie.Spier@morganhill.ca.gov.

3726

MORGAN HILL INDEPENDENCE DAY, INC.

P.O. BOX 1776
MORGAN HILL, CA 95038

SOUTH VALLEY NATIONAL BANK

MORGAN HILL, CA 95037
90-3968-1211

PAY TO THE
ORDER OF

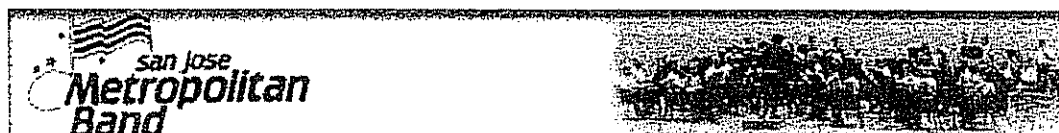
City of Morgan Hill 3/29/07 \$ 2999.63
Two thousand nine hundred ninety nine & 63/100 DOLLARS

MEMO

Marie Hahn

⑈003726⑈ ⑆121139685⑆ 51047 322⑈

3/27/07
revised JS



San Jose Metropolitan Band

P O. Box 6291

San Jose, CA 95150-6291

March 24, 2007

Julie Spier
Special Assistant to the City Manager
City of Morgan Hill
17555 Peak Ave
Morgan Hill, CA 95037

Dear Ms. Spier,

The San Jose Metropolitan Band (SJMB) is respectfully requesting the consideration of granting funds to assist us in producing the first ever Silicon Valley Community Band Festival

PROJECT SUMMARY

The Festival will be taking place at the new Morgan Hill Community Center in June 2008. The SJMB will be inviting community bands from all over the nine bay area counties and beyond to participate in this one-day festival. In addition to fine band music, we also intend to provide food and beverage vendors and music/music instrument vendors to display their products.

The SJMB has already begun recruiting community bands to participate in this event and expect to have at least 10 bands participating over the day performing a 45-minute set every hour. We anticipate several hundred-band members participating as well as 300-400 listeners to enjoy the music. We anticipate our listeners will be coming from nearby local cities, the greater San Jose region and from throughout the Bay Area.

The new Morgan Hill Community Center provides an excellent venue for the festival. The center provides a beautiful outdoor band shelter that looks onto a large lawn area. The center building itself will provide areas for warm-up/rehearsals and instrument and music demonstrations.

ABOUT OUR ORGANIZATION

The SJMB was founded in 1967, and has provided nearly 40 years of community service to the Santa Clara Valley. Originally under the auspices of the San Jose Metropolitan Adult Education Program (MAEP), the Band now operates independently as a non-profit public benefit corporation.

The band is made up of more than 40 members, ranging in age from 16 thru the 80's, including musicians whose experience spans over half a century. Based in San Jose, the band provides an opportunity for Bay Area residents to participate in large ensemble playing. Through its self-administered program, the SJMB offers local amateurs the opportunity to sharpen musical skills in a sociable, relaxed atmosphere while providing wholesome entertainment to the community.

The SJMB plays symphonic concert band music in a sit-down format, with a complement of woodwind, brass, and percussion instruments. From Mozart to marches, ballads to big band, show tunes to specialty numbers, the band encourages interest in and appreciation for all types of music.

The Band has performed for social and civic organizations, community activities, conventions, and charitable causes in the Bay Area. Especially popular with audiences are the patriotic concerts for Memorial Day and the Fourth of July, along with an annual Christmas concert at Downtown San Jose's "Christmas in the Park".

The SJMB has been determined to be exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization as described in section 501(c)(3). The Band is classified as a publicly supported organization as described in section 509(a)(2). Our organization's Federal Employer Identification Number is 77-0241187. Incorporated September 21, 1990.

OBJECTIVES AND PURPOSE OF THE SJMB

The primary objectives and purposes of this corporation shall be:

- (a) To promote and develop an instrumental concert band;
- (b) To provide musical instruction for members and the public,
- (c) To present concerts before the public.

ABOUT OUR DIRECTOR

The SJMB is under the direction of Mr. Gregory Bergantz, who was appointed music director in 1991. Prior to that, Mr. Bergantz guest conducted the South Valley Symphony, the San Jose Symphony Youth Orchestras, the Glendale Symphony Youth Orchestra, and over sixty chamber orchestra performances in Los Angeles. As a graduate student, Mr. Bergantz studied conducting at the University of Southern California with Maestro Daniel

Lewis, the Institute of Orchestral Conducting with Maestro Herbert Blomstedt, and the Chigiana Music Festival in Siena, Italy, with Maestro Franco Ferrara.

As a free-lance trombonist in the Bay Area, Mr. Bergantz performs regularly with the Oxford Brass, several local symphonies and bands, and occasionally, as a featured soloist with the SJMB.

As the music director of the San Jose Metropolitan Band, Mr. Bergantz is known for programming concerts that provide a little something for everyone. Marches, Waltzes, Patriotic favorites, "Big Band" medleys, show tunes, film scores, as well as standard Military and Concert Band repertoire. The band's musical versatility makes each performance an exciting one.

The San Jose Metropolitan Band is proud to be of service to the communities of the Silicon Valley and surrounding areas. We look forward to the Silicon Valley Community Band Festival in June 2008, and hope you will join us through your support.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Ed Souza', with a stylized, flowing script.

Ed Souza, Board Member

San Jose Metropolitan Band

SPECIAL EVENT FUNDING REQUEST INFORMATION

NAME OF EVENT: Silicon Valley Community Band Festival

DATE OF EVENT: date to be determined in June 2008

NAME OF ORGANIZATION: San Jose Metropolitan Band

NAME OF CONTACT PERSON: Ed Souza

ADDRESS: P.O. Box 6291, San Jose, CA 95150

PHONE NUMBER: 408-247-1033, 408-355-5766

EMAIL: edward5593@comcast.net

TIMES OF THE EVENT: 10:00 am to 6:00 pm

SET-UP DAY AND TIME: same day as event

DISMANTLE DAY AND TIME: same day as event

GENERAL LOCATION OF EVENT: Morgan Hill Community Center

General description of event:

Produce the first ever Silicon Valley Community Band Festival. A one-day band festival in Morgan Hill featuring community bands from the bay area. The Festival will be taking place at the new Morgan Hill Community Center in June 2008. The SJMB will be inviting community bands from all over the nine bay area counties and beyond to participate in this one-day festival. In addition to fine band music, we also intend to provide food and beverage vendors and music/music instrument vendors to display their products.

The SJMB has already begun recruiting community bands to participate in this event and expect to have at least 10 bands participating over the day performing a 45-minute set every hour. We anticipate several hundred-band members participating as well as 300-400 listeners to enjoy the music. We anticipate our listeners will be coming from nearby local cities, the greater San Jose region and from throughout the Bay Area.

The new Morgan Hill Community Center provides an excellent venue for the festival. The center provides a beautiful outdoor band shelter that looks onto a large lawn area. The center building itself will provide areas for warm-up/rehearsals and music demonstrations.

Estimated number of participants

300 to 400 community band members

Estimated number of spectators

Approximately 300 spectators.

1. Do the sponsors have a history in our local community?

Yes, The San Jose Metropolitan Band has been an active participant in the City of Morgan Hill's annual 4th of July Parade. WE have won first place in the parade for Adult Community Band the last four years.

2. Target audience is community-wide.

Yes, we anticipate having band members and spectators coming from all over the bay area. In addition, the festival will be involving parents and students from the Live Oak High School "Emerald Regime Band" The director of the Emerald Regime Band, Mr. Greg Bergantz, is also the musical director of the San Jose Metropolitan Band.

3. There is a community benefit.

We will be working closely with parents and students from the Emerald Regime Band. Proceeds from the sale of food and beverages by the Emerald Regime Band Boosters will directly benefit the band program at Live Oak High School.

4. Event requires city support services

Yes, the event requires use of the Morgan Hill Community Center.

5. Demonstrated need for funding assistance.

SJMB Budget is attached.

6. Non-profit organization with tax-exempt status.

SJMB 501 C3 status is attached

7. City staff included in final planning process.

Yes, we will include city staff in our plans at the community center.

8. Request is not for city facility sponsorship.

No.

9. Does event involve closing down streets?

No.

10. Complete funding request process.

Application turned in by March 31, 2007

11. No outstanding city bills from previous events.

None. This is our first funding request with the City of Morgan Hill.

Internal Revenue Service
District Director

Department of the Treasury

P O BOX 2350 ROOM 5127 ATTN: E.D.
LOS ANGELES, CA 900532350

Date: SEP. 21, 1990

SAN JOSE METROPOLITAN BAND
ATTN JOHN M KUSTER
4342 BALD EAGLE WAY
SANY JOSE, CA 95118

Employer Identification Number:
77-0241187

Case Number:
950239033

Contact Person:
PHELAN, JULIE R Earl Night

Contact Telephone Number:
(213) 725-6619

213 725-1758

Accounting Period Ending:

August 31,

Foundation Status Classification:
509(a)(2)

Advance Ruling Period Begins:
March 22, 1990

Advance Ruling Period Ends:
Aug. 31, 1994

Addendum Applies:

NO

talked to
Teresa Smith

11/7/94 1046 letter

87311 to maintain 501C-3

will send these to me, should receive

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization described in section 509(a)(2).

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must submit to us information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for future periods. Also, if you are classified as a private foundation, you will be treated as a private foundation from the date of your inception for purposes of sections 507(d) and 4940.

Grantors and contributors may rely on the determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you submit the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until the Service

SAN JOSE METROPOLITAN BAND

makes a final determination of your foundation status.

If notice that you will no longer be treated as a publicly supported organization is published in the Internal Revenue Bulletin, grantors and contributors may not rely on this determination after the date of such publication. In addition, if you lose your status as a publicly supported organization and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that the Service had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date such knowledge was acquired.

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

You are required to file Form 990, Return of Organization Exempt From Income Tax, only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not

SAN JOSE METROPOLITAN BAND

required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$10 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

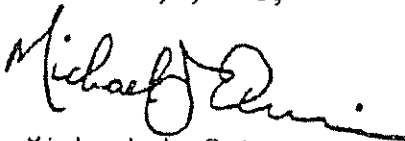
You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Michael J. Quinn
District Director

SAN JOSE METROPOLITAN BAND
BUDGET
FY 05-06 ACTUALS
FY 06-07 BUDGET

| INCOME | 9/1/05-8/31/06 ACTUAL | 9/1/06-8/31/07 BUDGET |
|--------------------------|--------------------------|--------------------------|
| CONCERT INCOME | 3,900.00 | 3,000.00 |
| DONATIONS | 2,265.00 | 1,500.00 |
| GRANTS | 4,315.00 | 4,500.00 |
| TOTAL FUNDRAISING | 10,480.00 | 9,000.00 |
| EXPENSES | | |
| CONCERTS | 4,027.00 | 1,500.00 |
| MUSIC | 2,100.00 | 500.00 |
| RENT | 924.00 | 1,000.00 |
| CONCERT MASTER | 1,100.00 | 1,500.00 |
| MUSICAL DIRECTOR | 4,220.00 | 4,500.00 |
| TOTAL EXPENSES | 12,371.00 | 9,000.00 |
| REVENUE/EXPENSES | (1,891.00) | 0.00 |

San Jose Metropolitan Band 2008 Silicon Valley Community Band Festival

Project Budget

| INCOME | | Project Budget |
|-----------------------------|------------------------------|-------------------|
| Earned Revenues | | |
| 1 | Tickets/Admissions | \$ - |
| | Audience x Price \$ | \$ - |
| 2 | Performance Fees | \$ 600 |
| 3 | Tuition | \$ - |
| 4 | Product Sales | \$ 100 |
| 5 | <i>Sub-Total Earned</i> | <i>\$ 700</i> |
| 6 | | |
| Contributed Revenues | | |
| 7 | Federal Government | \$ - |
| 8 | State Government | \$ - |
| 9 | County Government | \$ - |
| 10 | Local Government | \$ 547 |
| 11 | Foundations | \$ - |
| 12 | Corporations | \$ - |
| 13 | Individuals | \$ - |
| 14 | Community Grants | \$ 4,500 |
| 15 | In-kind and Other* | \$ 1,000 |
| 16 | <i>Sub-Total Contributed</i> | <i>\$ 6,047</i> |
| | TOTAL PROJECT INCOME | \$ 6,747 |

10% of food sales

City of MH special event permit

Silicon Valley Arts Council
Rotary, etc

| EXPENSES | | Project Budget |
|--------------------------------|---------------------------------|-------------------|
| Artistic Expenses | | |
| 17 | Artistic Salaries | 0 |
| 18 | Technical & Production | 1000 |
| 19 | Rent | 300 |
| | (Performance/Rehearsal only) | 2725 |
| 20 | Other | 500 |
| 21 | <i>Sub-Total Artistic</i> | <i>\$ 4,525</i> |
| Administrative Expenses | | |
| 22 | Administrative Salaries | 750 |
| 23 | Rent/Utilities (Office only) | 0 |
| 24 | Advertising/Marketing | 325 |
| 25 | Fundraising | |
| 26 | Supplies | 250 |
| 27 | Insurance | 500 |
| 28 | Other | 600 |
| 29 | <i>Sub-Total Administrative</i> | <i>\$ 2,425</i> |
| | TOTAL PROJECT EXPENSES | \$ 6,950 |

Recording service
Chairs

Cleaning Fees

Security

Banner

Forms

Permits City of MH, Env Health Food Permit

Funding Requests are for Community Events Meeting the Following Criteria:

1. The event or its sponsors have a history in our local community
2. The event is held annually
3. Target audience is community-wide
4. There is a community benefit outcome: scholarships, promotion, sense of place, pride.
In defining "community benefit," sponsors will be asked to identify benefits other than "economic benefits" attributable to spending by event attendees.
5. Requires City support services
6. Applicants must be non profits organized under the IRS Code section 501 C3 or other appropriate designation indicating exempt status.
7. City staff are included in the final planning process
8. This funding process is not for requests to defer, or further discount, public facility rentals.
9. Proposed events requiring downtown closures will require acceptance of the "Guidelines for Holding Your Special Event in Downtown Morgan Hill". (See attached).
10. Complete funding application request process as defined once per year
11. There are no outstanding unpaid City bills from previous year's event.

If your special event meets the requirements listed then please proceed with completing and submitting the following application.

SPECIAL EVENT FUNDING REQUEST INFORMATION

NAME OF EVENT: 5K Wag-A-Boot

DATE OF EVENT: August 4th 2007

NAME OF ORGANIZATION: MH DOG

NAME OF CONTACT PERSON: JAnn Marshall Event Coordinator

ADDRESS: 15775 Uvas Rd Morgan Hill

PHONE NUMBER(s): 776 8169

EMAIL: JMarshall@DoggieStyleDaycare.com

TIMES OF THE EVENT: 9am - 2pm

SET-UP DAY AND TIME: August 4th 6am

DISMANTLE DAY AND TIME: August 4th 2pm

GENERAL LOCATION OF THE EVENT:

The Community Park

GENERAL DESCRIPTION OF THE EVENT:

An interactive walk with dog owners
dog games, contests, informational
vendors

ESTIMATED NUMBER OF PARTICIPANTS?

Persons: 200

Animals: 100

Vehicles: 100

ESTIMATED NUMBER OF SPECTATORS: 50

Please complete the following to determine eligibility:

1. The event or sponsors
have history in our local
community

Please Describe:

MH Dog is a grass roots organization
that raised funds for the dog park

2. Target audience is
community-wide

Please describe:

People who enjoy activities with
their dog, people who enjoy participating
in SKS family oriented

3. There is a community
benefit

Please describe:

Absolutely it draws people to our
community park and educates
dog owners and raises money for
the maintenance of the park

4. Event requires city
support services

Please list all costs that you are requesting the city consider for
funding. This may include in-kind services (Police Security,
Public Works staff costs, equipment use) and direct costs (rental
fees, permit fees). Use separate sheet if necessary.

All city fees & equipment fees
4 trash cans 8 cones
purple bags 2 barricades

✓ 5. Demonstrated need for funding assistance Please provide financial statements and proposed event budget
Use separate sheet.

✓ 6. Non-profit organization with tax exemption status Please provide copy of tax identification
SEE MEMO OF #5 ABOVE

7. City staff included in final planning process Application for Special Event Permit will be required.

Initial: *DM*

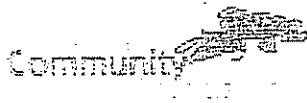
8. Request is not for city facility sponsorship Briefly describe city properties requested, if any:
MH Community Park

9. If event requires closing downtown streets, then downtown guidelines must be met Does this apply? yes ☒ no
If yes, please initial that you agree to abide by the "Guidelines for Having Your Special Event in Downtown Morgan Hill"

10. Complete funding request process Funding request application turned in by March 31?
we are not ASKING for entire event to be funded we are only ASKING for ^{separate} fees to be WAIVED.

11. No outstanding city bills from previous event Confirm all invoices are current

The Applicant agrees to comply with the permit issuance conditions as stipulated in Section 12.16050 of the City of Morgan Hill Municipal Code, and any other requirements of the City of Morgan Hill. Applicants who are requesting city funding assistance for their special event may also be asked to provide financial reports following the event



2/2/07

Memo to: City of Morgan Hill
From: Morgan Hill Dog Owners Group
Re: Information for Fee Waiver Request From

Financial Statement and Budget:

MHDOG is a non profit organization as an Alliance Member of the Morgan Hill Community Foundation. Tax ID #: 80-0001382

The funds we have raised in the past have gone primarily to build the Morgan Hill Dog Park, which opened on 1/20/07.

We have a small reserve remaining which is earmarked for part of the cost of dog park maintenance. Fund raising events are our primary source of income.

We develop a budget for each fund raising event as it is planned. We operate with the idea that we keep our costs as low as possible while still putting on an appealing, attractive, and safe event. Having the City waive the fees for use of Community Park for this event will help us keep our costs down.

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